

107TH CONGRESS
1ST SESSION

S. 177

To amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

IN THE SENATE OF THE UNITED STATES

JANUARY 25, 2001

Mr. AKAKA (for himself, Mr. DURBIN, Mr. ROCKEFELLER, Mr. INOUE, Mr. CLELAND, Mr. SARBANES, Ms. MIKULSKI, Mr. KOHL, Mr. HARKIN, Mr. BAUCUS, Mr. JEFFORDS, Mr. LEAHY, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. KENNEDY, Mr. EDWARDS, Mr. REED, Mr. BINGAMAN, Mr. JOHNSON, and Mr. DASCHLE) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend the provisions of title 39, United States Code, relating to the manner in which pay policies and schedules and fringe benefit programs for postmasters are established.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Postmasters Fairness
5 and Rights Act”.

1 **SEC. 2. POSTMASTERS TO BE COVERED BY AGREEMENTS**
2 **RELATING TO PAY POLICIES AND SCHED-**
3 **ULES AND FRINGE BENEFIT PROGRAMS.**

4 Section 1004 of title 39, United States Code, is
5 amended by redesignating subsections (g) and (h) as sub-
6 sections (i) and (j), respectively, and by inserting after
7 subsection (f) the following:

8 “(g)(1) Within 45 days after each date on which an
9 agreement is reached on a collective bargaining agreement
10 between the Postal Service and the bargaining representa-
11 tive recognized under section 1203 which represents the
12 largest number of employees, the Postal Service shall
13 make a proposal for any changes in pay policies and sched-
14 ules and fringe benefit programs for postmasters which
15 are to be in effect during the same period as covered by
16 such agreement.

17 “(2) The Postal Service and the postmasters’ organi-
18 zation (or, if more than 1, all postmasters’ organizations)
19 shall strive to resolve any differences concerning the pro-
20 posal described in paragraph (1).

21 “(3) If, within 60 days following the submission of
22 the proposal, the Postal Service and the postmasters’ or-
23 ganization (or organizations) are unable to reach agree-
24 ment, either the Postal Service or the postmasters’ organi-
25 zation (or organizations jointly) shall have the right to

1 refer the dispute to an arbitration board established under
2 paragraph (4).

3 “(4) An arbitration board shall be established to con-
4 sider and decide a dispute arising under paragraph (3)
5 and shall consist of 3 members, 1 of whom shall be se-
6 lected by the Postal Service, 1 by the postmasters’ organi-
7 zation (or organizations jointly), and the third by the 2
8 members thus selected. If either the Postal Service or the
9 postmasters’ organization (or organizations) fail to select
10 a member within 30 days after the dispute is referred to
11 an arbitration board under this subsection, or if the mem-
12 bers chosen fail to agree on the third person within 5 days
13 after their first meeting, the selection shall be made by
14 the Director of the Federal Mediation and Conciliation
15 Service.

16 “(5) The arbitration board shall give the parties a
17 full and fair hearing, including an opportunity for each
18 party to present evidence in support of its claims and an
19 opportunity to present its case in person, by counsel, or
20 by such other representative as such party may elect. De-
21 cisions by the arbitration board shall be conclusive and
22 binding upon the parties. The arbitration board shall
23 render its decision within 45 days after its appointment.

24 “(6) Costs of the arbitration board shall be shared
25 equally by the Postal Service and the postmasters’ organi-

1 zation (or organizations), with the Postal Service to be re-
 2 sponsible for one-half of those costs and the postmasters’
 3 organization (or organizations) to be responsible for the
 4 remainder.

5 “(7) Nothing in this subsection shall be considered
 6 to affect the application of section 1005.”.

7 **SEC. 3. RIGHT OF POSTMASTERS’ ORGANIZATIONS TO PAR-**
 8 **TICIPATE IN PLANNING AND DEVELOPMENT**
 9 **OF PROGRAMS.**

10 The second sentence of section 1004(b) of title 39,
 11 United States Code, is amended by striking “or that a
 12 managerial organization (other than an organization rep-
 13 resenting supervisors) represents a substantial percentage
 14 of managerial employees,” and inserting “or that a mana-
 15 gerial organization (other than an organization rep-
 16 resenting supervisors or postmasters) represents a sub-
 17 stantial percentage of managerial employees, or that an
 18 organization qualifies as a postmasters’ organization,”.

19 **SEC. 4. POSTMASTERS AND POSTMASTERS’ ORGANIZATION**
 20 **DEFINED.**

21 Subsection (i) of section 1004 of title 39, United
 22 States Code, as redesignated by section 2, is amended—

23 (1) in paragraph (1) by striking “and” at the
 24 end;

1 (2) in paragraph (2) by striking the period at
2 the end and inserting a semicolon; and

3 (3) by adding at the end the following:

4 “(3) ‘postmaster’ means an individual who
5 manages, with or without the assistance of subordi-
6 nate managers or supervisors, the operations of a
7 post office; and

8 “(4) ‘postmasters’ organization’ means, with re-
9 spect to a year, any organization of postmasters
10 whose membership as of June 30th of the preceding
11 year included not less than 20 percent of all individ-
12 uals employed as postmasters as of that date.”.

13 **SEC. 5. TECHNICAL AND CONFORMING AMENDMENTS.**

14 (a) Section 1001(e) of title 39, United States Code,
15 is amended (in the matter before paragraph (1)) by insert-
16 ing “agreements under section 1004(g),” after “regula-
17 tions,”.

18 (b) Section 1003(a) of title 39, United States Code,
19 is amended in the first sentence by inserting “section
20 1004(g) of this title,” before “section 8G”.

21 **SEC. 6. EFFECTIVE DATE.**

22 The amendments made by this Act shall take effect
23 after the end of the 90-day period beginning on the date
24 of enactment of this Act.

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